

Serial No.: 10/822,861
Atty. Docket No.: P69661US0

REMARKS

The restriction requirement has been carefully reviewed and by this Response, Applicants have canceled claims 2 and 3, and amended claims 1, 4-22, 28 and 29. Claims 1 and 4-30 are pending in the application; claims 1, 19, 20 and 23 are independent. Claims 23-26 and 30 are withdrawn while expressly reserving the right to reintroduce such claims herein should the restriction requirement be withdrawn and/or to file a divisional application directed thereto.

As an initial matter, Applicants have corrected informalities noted in the specification, including the addition of headings.

In the Requirement for Restriction mailed September 27, 2005, the Examiner stated that the captioned application includes four distinct inventions: Invention I, claims 1-18, drawn to a method, classified in class 219, subclass 121.85; Invention II, claims 19-22, 28 and 29, drawn to a product, classified in class 219, subclass 121.63; Invention III, claims 23-26, drawn to a method, classified in class 219, subclass 121.64; and Invention IV, claims 27 and 30, drawn to a product, classified in class 604, subclass 332+.

Serial No.: 10/822,861
Atty. Docket No.: P69661US0

Applicants hereby elect Invention II drawn to a product, with traverse.

Claims 19-22, 28 and 29 are directed to a product that combines two parts having particular features. Specifically, the first part has a high transmission at a predetermined wavelength, and the second part has an absorption coefficient, μ_a , and a scattering coefficient, μ_s , at the predetermined wavelength, with $\mu_s > (1/10) * \mu_a$.

As amended herein, claim 1 is directed to a method of providing a product that also has two parts, namely a first material that has an absorption coefficient, μ_a , and a scattering coefficient, μ_s , at a predetermined wavelength, with $\mu_s > (1/10) * \mu_a$; and a second material having an absorption coefficient μ_{a2} and a scattering coefficient μ_{s2} at the predetermined wavelength. The method includes providing the first material with a predetermined substance at an interface or surface thereof and/or in a predetermined volume, and providing the second material adjacent to and abutting the interface or surface of the first material. Radiation, including radiation at the predetermined wavelength, is provided to the predetermined volume at or near the interface or surface of the first material, with the substance provided to the

Serial No.: 10/822,861
Atty. Docket No.: P69661US0

first material absorbing radiation at the predetermined wavelength and converting the radiation to heat in the first material.

The product and method of claims 1-18 and claims 19-22, 28 and 29, respectively, are therefore connected in design, operation and effect as required by M.P.E.P. 808.01. The method can be used to make the product such that under M.P.E.P. 806.04 the inventions are not independent so as to require restriction. For at least the foregoing reasons, Inventions I and II are presented as being related such that both may appropriately be examined together. Accordingly, favorable reconsideration and withdrawal of the restriction requirement as between Inventions I and II is requested.

In addition, claim 27 is also related to Inventions I and II, being directed to a product produced by the claimed method of claim 1. Favorable consideration and inclusion of claim 27 within the claim set to be examined is requested.

In sum, with this amendment and the foregoing remarks, it is respectfully submitted that the present application is in condition for examination on the merits, and examination of claims 1, 4-22 and 27-29 as amended herein is respectfully requested.

Serial No.: 10/822,861
Atty. Docket No.: P69661US0

Should the Examiner have any questions or comments, the Examiner is cordially invited to telephone the undersigned attorney so that the present application can receive an early Notice of Allowance.

Respectfully submitted,

JACOBSON HOLMAN PLLC

By Harvey B. Jacobson, Jr.
Harvey B. Jacobson, Jr.
Reg. No. 20,851 Reg No 40,495

400 Seventh Street, NW
Washington, D.C. 20004-2201
Telephone: (202) 638-6666
Date: October 27, 2005
HBJ:SCB
R:\SBAILEY\10-05\P69661US.RRR